

**Special Meeting Minutes
Wednesday, January 21, 2009
Meeting Scheduled Start Time: 12:50 PM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Tom Sullivan Conference Room
301 W Jefferson, 10th Fl
Phoenix, AZ 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 12:50 PM on Wednesday, January 21, 2009, in the Tom Sullivan Conference Room with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, Vice Chairman, District 2. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Paul Golab, Outside Counsel to the Board.

Clerk of the Board

1. BOARD DIRECTIVE RELATED TO PUBLIC RECORDS REQUESTS

Approve a motion, pursuant to A.R.S. 11-251(1), to supervise Maricopa County Elected Officials' use of public records requests made upon Maricopa County such that no Maricopa County Elected, Appointed and/or Judicial Officer, nor his/her office, may issue a public records request upon Maricopa County or its departments. All information held by any elected or appointed official of Maricopa County required by another Maricopa County Elected, Appointed and/or Judicial Officers in accordance with his/her official duties may be requested from individual departments through an "Internal Information Request" form. In the event of any dispute between any elected or appointed officials concerning access to public records, such dispute shall be presented to the County Manager or his designee for determination. The County Manager shall develop and publish a procedure for such disputes. The reason for this instruction is to conserve public resources and to avoid any prospect of litigation between County funded elected officials and departments. (C-06-09-256-M-00)

Prior to the vote, the Clerk noted an addition to the cited statute number to A.R.S. 11-251(1) and (21). And also a change to the "C" number from C-06-09-265-M-00 to C-06-09-256-M-00.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

2. BOARD DIRECTIVE RELATED TO THE CREATION OF AN INTERNAL INFORMATION REQUEST FORM

Approve a motion to direct the County Manager to create the Internal Information Request Form and send it with a letter to all Maricopa County Elected, Appointed and/or Judicial Officers directing them regarding the Board of Supervisors' actions taken on January 21, 2009 (C-06-09-265-M-00). (C-06-09-258-M-00)

Prior to the vote, the Clerk noted a change to the "C" number a change to the first "C" number from C-06-09-265-M-00 to C-06-09-256-M-00.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Prior to the vote, the Clerk announced the following changes to item three's wording, as marked:

3. ACKNOWLEDGEMENT OF LAWSUIT FILED AGAINST BOARD COUNSEL

~~**APPOINTMENT OF OUTSIDE COUNSEL TO REPRESENT MARICOPA COUNTY BOARD OF SUPERVISORS IN THE MATTER OF CV2008-033194 (THOMAS AND ARPAIO VS. MARICOPA COUNTY BOARD OF SUPERVISORS)**~~

Approve a motion to acknowledge a lawsuit filed against ~~that~~ the Board of Supervisors' appointed attorneys in CV2008-033194 (Thomas and Arpaio vs. Maricopa County Board of Supervisors), Shughart, Thomson & Kilroy, PC and Mr. Thomas Irvine (collectively "STK"), were also sued in CV2008-033193 (Thomas v. STK, Irvine and Romley), that the Board has been fully informed as to these matters, has been advised to seek independent legal counsel on the question, considered if a conflict was created for STK, as such does not see any conflict with STK continuing its representation of the Board in CV2008-033194, and if such conflict does exist affirmatively waives such conflict. (C-06-09-257-M-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board